

**TOWN OF HAMILTON  
BOARD OF SELECTMEN  
NOVEMBER 17, 2014**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, November 17, 2014 with Scott Maddern, Marc Johnson, Jeff Hubbard, David Neill, Jennifer Scuteri (participating remotely) present. Town Manager Michael Lombardo, Finance Director Deborah Nippes-Mena and FinCom Chair Rick Sprenkle also present.

**Call to order**

Scott Maddern called the meeting to order at 7:00 p.m. and mentioned that Jennifer Scuteri was participating remotely via telephone.

**Public Comment**

Bill Dery, 256 Chebacco Road, read letter regarding citizens' petition for ATM warrant article to transfer all site plan review authority from ZBA to Planning Board.

**Town Manager's report**

Town Manager Michael Lombardo reported that Patrick Reffett, Director of Planning and Inspections, and Rachel Meketon, Community Projects Coordinator, have started working for Town. Renovation of front steps at Town Hall is complete. Town officials are working with Town Counsel Donna Brewer to pursue original contractor for shoddy work that was corrected.

**Chairman/Selectmen reports**

Jeff Hubbard opined about the HW Library Trustees and Hamilton delaying wage and classification study and potential impact on library's FY2016 budget. He also opined about legal counsel hired by Town relative to Patton property project, cited BOS Code of Conduct, Section 4(E), regarding material provided to all Selectmen and stated that he is not receiving information. Hubbard also asked for total cost to date that Town has paid for Patton project and expected cost of attorney relative to project. Lombardo clarified that he had hired Attorney Lisa Mead as special counsel to assist Town with Patton property project since she specializes in land use and planning law.

Marc Johnson described how he was aware of legal hire and had checked charter for Town manager which stated that Lombardo could hire special counsel. He also

congratulated HWRHS cross country team for winning state championship for second year, and that HWRHS school play was well done. That the Community House Harvest Dinner was nice event and he recognized Mary Reinhalter and Carin Kale. He suggested residents clear leaves off of catch basins.

Johnson also opined about Board decision to approve improvement of water infrastructure on Woodland Mead which he does not support due to precedent that it sets for Town expending public funds (\$500,000) and resources for a private way. He suggested the Town could have split cost with private way residents and used a betterment if it chose to spend public money on private infrastructure where a health and safety issue is involved.

Scuteri congratulated Carin Kale and noted how Kale had emphasized importance of the community to work positively together. Scuteri asked Lombardo to determine how much time and money has been spent relative to small opposition group making Patton property project very difficult since it is a cost to taxpayers.

Maddern spoke to HW Recreation Board meeting with pool designer and its decision that will occur tomorrow about where pool should be located: Fairhaven Field or Patton Park. He congratulated FinCom on three-year plan and five-year forecast. Also, how HWRSD is working together to establish a policy on school district's excess funds especially related to turn back to the supporting communities.

## **CONSENT AGENDA**

Hamilton Family Market, Inc. dba Crosby's Marketplace requests that the Board as the Local Licensing Authority approve and sign Form 43 **Change of Manager** to Alan R. Shepard and forward same to the ABCC.

**Class II** license application submitted by **KJ Motors, LLC** 247 Forest Street, owner Christopher Gangi. Mr. Gangi held a license for two years without incident but did not renew his license for 2014.

Board to vote and sign order to appropriate \$10,000 from **Cemetery Perpetual Care Fund** for FY15 Cemetery purposes to be used as another source of funds for setting the tax rate.

**H-W Ed Fund** requests permission to sell Christmas trees at Patton Park from Friday, November 28 to Sunday, December 14. The tree sale will occupy the parking lot next to

the tennis courts. The Fund also requests permission to place a 10 trailer and temporary lighting at the site during the sale.

Organizers of the **Gabe's Run** seek permission to use Patton Park, the sidewalk along 1A to the equestrian entrance of Patton Park across from the Myopia Polo Fields and Town roads on Friday, November 28, 2014 from 7 a.m. to 1 p.m.

**Approve Minutes:** October 20, 2014 Regular Session; October 27, 2014 Joint Hamilton and Wenham Boards of Selectmen and HW Recreation Board Regular Session; November 3, 2014 Regular and Executive Session.

Hubbard put a hold on the October 20, 2014 Regular Session minutes. Johnson moved to approve the Consent Agenda (with the October 20, 2014 Regular Session minutes held) and he said he would abstain on the part of the vote related to the November 3, 2014 meeting minutes since he did not attend. Hubbard seconded the motion. VOTE: 5-0 with Johnson approving the Consent Agenda as amended but abstaining on November 3, 2014 minutes aspect of vote.

## **AGENDA**

**Conservation Restriction** for 67+ acres of land at 375 Bridge Street. The restriction is to assure that the land be retained in perpetuity for conservation purposes. David Santomenna of Essex County Greenbelt Association will attend.

Discussion ensued about conservation restriction that John and Susan Gardner are seeking for their property at 375 Bridge Street. The property located on scenic road consists of an open field, wetland, riparian, esker, a well-established trail with deeded access that ECTA maintains and provides continuity to Brackenside, and six-acre and two-acre building envelopes that will remain for family's use. The Conservation Commission has reviewed and recommended to Selectmen to approve CR. ConCom also voted on municipal certificate that was sent to state and a few comments were received, which can be addressed in future, if necessary. Tax revenue for property will remain same as it is currently. There is a bridle easement on Hickory Lane. Intent is for the CR to stay with big house but it is not a requirement. Santomenna noted that access along Bridge Street is for equestrians and pedestrians. Selectmen thanked Gardner family for its generosity with CR.

Maddern entertained a motion for the Selectmen to accept the Conservation Restriction as proposed. Hubbard so moved. Neill seconded the motion. VOTE: Unanimous.

Marcie Ricker, Landscape Architect to update Board on the design of **Cutler Park**

Discussion ensued with Ricker about her design concept for Cutler Park that is 85' wide and 400' from Bay Road to crest at top of hill, with 200' from top of hill to pond. She described her stroll garden design with native plants that move to hybrid plants and butterfly garden plants. Work done to date includes removal of tree in middle of park, grinding of stump, and stepping stones (donated by Northeast Nursery) installed by DPW, and Boy Scouts removed brush and overgrowth that public works took away.

Tom Ford's preliminary subdivision plan was approved which is one parcel away from park. Suggestion was for a trail easement as part of a conservation restriction for existing wood road that goes beside Cutler Pond. Discussion was for future use for pedestrians through Cutler Park and easement across abutting property to walk down to new subdivision and new driveway. Also, there is a grant for native plants to eradicate native species (i.e., oriental bittersweet).

Discussion addressed importance of Ricker's garden plan now that subdivision plan is moving forward on nearby property and possibility of increasing public access. Ricker explained that design could be implemented now slowly so it would not upset abutters. The abutter to the north has planted two dogwoods that could be duplicated by Town on its property. David Neill suggested park should be used for contemplative activity and recommended native asters be planted. Maddern concurred that park could be used for passive recreation, progress should move forward on some elements, and that action could be taken at park to recognize Neill and his deceased wife Margaret and what they have done for Town.

Hubbard suggested that a Friends of Cutler Park group could do work since DPW is stretched to limit (i.e., flagpole has to be replaced at Patton Park and benches need to be installed downtown). He expressed hesitance to have Town spend resources on Cutler Park. Johnson concurred this is a volunteer effort (where there should be a call for people to do work, for example, weeding) with minimal amount of Town involvement to move project forward. Scuteri questioned history of the park and how that should be honored, how difficult it would be to create final path to water, that Town land should be well defined, and if Tom Ford could assist with construction work at park. Ricker referred to her Powerpoint presentation on history of park that was previously presented and could be sent to Town officials to be posted on Town's website. Lombardo noted that question of creating a final path to water could not be answered this evening. In response to Ricker, he said there appeared to be general support for her

park design and he would speak to her about details related to moving forward. Johnson offered to assist Ricker with construction work, where possible.

**FY2016 Budget Guidelines and Policy discussion**

The Board provided budget guidance to Lombardo and Finance Director Deborah Nippes-Mena. FinCom Chair Rick Sprenkle spoke to three-year plan that highlights budget line items and general expectation for FY16 budget planning as 2% COLA for payroll, 2.25% for CPI-W for most of lines, oil cost is going down with natural gas level, and insurance rate has an expected 5% to 7% increase. The FinCom is assessing five-year plan since items are scheduled to be brought on line to decrease cost of ownership to Town through better timing of some capital purchases.

Maddern explained that there is support for three year plan and level services budget with budget adjustments that are out of Town officials' control (i.e., insurance rates). Discussion addressed how budget increase is expected to be just below 3% with current capital plan unless adjustment is necessary. Lombardo mentioned that projection for level services budget is based on trends and CIP is around 3%. Discussion ensued that this percentage is unlikely to include more personnel for public works although Collins report mentioned shortage of DPW employees and potential Town need for more staff based on downtown work requirement.

Hubbard opined about budget discussion relative to property values, increased valuation, cost of government going up (\$750,000 in a two-year period), and high cost of living in Town making it difficult for residents especially with higher priced homes to sell them. He advocated for a level funded budget, suggested cost of government should be leveled off, and analysis be done to understand what services could be done more cost effectively. Hubbard stated that in large part the tax rate has remained stable (through fiscal 2014) due in large part because (home) valuations have increased at the same rate as government spending, which has increased at 8%.

Sprenkle summarized recent cost increases with catch up on COLAs and importance of looking at longer than two years as a trend. Hubbard opined that there are many mandates out of Town's control but that Hamilton has increased its spending. Sprenkle mentioned payroll as largest expense and increased head count at Essex Tech. Johnson suggested budget drivers should be kept down with 3% as a reasonable goal excluding capital, that school budget should be managed well, and if anything should be added (i.e., public works personnel) this should be done within existing structure. Scuteri noted that Town needs to look at longer trends versus year to year since increase in

Town government cost has been \$231,000 over three years. Maddern spoke to servicing public with recreation programs and senior center as well as need for outreach to elderly, school district, public safety, public works (i.e., efforts to share personnel with school district), and usefulness of three-year financial plan.

Discussion ensued between Hubbard and Scuteri about what numbers were being referenced budget versus actual money spent by Town government. Maddern offered to send out information about actual spending by the Town to all Board members. Hubbard opined that he was clarifying that he and Scuteri were talking about two different sets of numbers.

Sprenkle noted that Town is using five-year plan to identify savings and reduce overall costs. The FinCom is meeting with counterparts in Wenham and school management tomorrow night to get insight into longer term direction for HWRSD budget. Discussion addressed how Town has not included any school budget numbers in its FY16 budget since it has been waiting for HWRSD's completion of its master plan to understand the school district's priorities and impact on Hamilton's tax rate.

Scuteri explained that she had just emailed the Board actual numbers from the finance director (which she had referred to earlier in meeting) and suggested Selectmen could review them. She recommended that the information, with Nippes-Mena approval, could be put on Town's website so public can review relative to Town Meeting votes.

**Chapter 91 Senior Tax Exemption Program** Annual review and discussion regarding age qualification requirement. Formally vote to set each for the year 2016.

Discussion ensued about 70 years old being the age for exemption and Town has 68 applicants and 40 people are typically funded with \$150,000 with average being \$2,000 per household. Lowering age qualification to 60 years old would expand pool and reduce amount each senior would get. Hubbard suggested decision could be made with input from COA Director Marybeth Lawton. The program is time consuming for Assessor's office to manage due to application and funding process. Neill said there is no reason to change program since there is no great need that is not being met. Scuteri concurred with Neill and said there are other programs for community members who are less than 70 years old (i.e., Hamilton Foundation). Maddern entertained a motion to set for 2016 the age qualification at age 70. Hubbard so moved. Neill seconded the motion. VOTE: Unanimous.

**Discuss Town Manager review process and goals**

Maddern had sent Board and Town manager review process format that has been done for Lombardo's six-month review which includes the Selectmen's goals (expected completion will have a later date due to timing when goals were set relative to Lombardo's review). He asked Board to review instructions, pull out assessment and rating criteria, schedule and attend a meeting with Lombardo, then return information to Maddern who will consolidate for presentation at an upcoming Selectmen's meeting.

**Discuss Regional Emergency Communications**

Maddern mentioned information from Lombardo about what other options might be available in area to regionalize ECO. Lombardo summarized how he has been working for two to three years with Manchester and Ipswich to evaluate those communities coming on board with Hamilton's ECO. With a change of town manager in Ipswich evaluation was revisited for locating dispatch in Ipswich or Hamilton with result that Hamilton has state-of-art facility and infrastructure as well as trained staff and overall cost to host dispatch. Manchester is doing a parallel evaluation of Essex Communications Center in Middleton which should be done soon and then discussion can occur with Hamilton. Lombardo noted that Ipswich is working through operational issues so dialogue with Ipswich is stalled. He reached out to other abutting towns relative to capacity at Hamilton's ECO.

Johnson moved for the Chair of Hamilton Board of Selectmen to contact the chairs of other respective boards and get sounding of political will to implement what the Town has supported (i.e., regional ECO in Hamilton). Scuteri seconded the motion. Discussion ensued with Hubbard expressing his ongoing support for this approach, Neill noted that he has tried for three years to get this step taken and asked if public safety personnel was in support of moving forward in this manner. Lombardo mentioned how the public safety personnel have been involved in process and are in favor of maintaining ECO in Town. Cellphone calls to public safety go through Middleton facility and on-the-water calls go through Coast Guard. Hubbard suggested public safety chiefs would be the best advocates for a joint ECO. Scuteri concurred and initiated discussion about report and what costs would be paid for by partner municipalities. VOTE: Unanimous.

Discuss Hamilton and Wenham Selectmen's meeting regarding the replacement of the American Legion Pool at Patton Park

Scuteri said Wenham selectmen were supportive, inquisitive and interested in working as a team with Hamilton on pool project. Johnson reflected on pushback to proposal for pool location at Fairhaven Field, Wenham's interest in a pool, and that Recreation Board will decide on best location for a pool. Hubbard opined that more conversations have to occur with library interested parties about moving pool to Fairhaven Field since there are no good reasons to do so. He opined that support for a pool in Hamilton was due to American Legion having built Patton Park pool, competing teams for summer swim team are from private organizations, and that input he has received from community is that defunct pool is repairable if a structural engineer is asked to weigh in. He stated that community wants a working pool not an expanded pool in size and cost.

Neill weighed in on pros and cons of locating pool at Fairhaven Field relative to Patton Park as a heavily used area. He addressed importance of Wenham being involved especially regarding joint recreation agreement. Maddern described how Wenham had asked for investigation of Fairhaven Field by Recreation Board. He reiterated that citizens in Hamilton and Wenham have expressed interest in having a town pool. Discussion ensued about importance of partnership working with Wenham in pool proposal process. Also addressed was whether or not Wenham town officials were more interested in a pool project done jointly with Hamilton than in the past. The pool designer has determined Fairhaven Field as not as good a location for a pool as Patton Park. Discussion focused on how to make a decision about pool project moving forward. HW Recreation Board is weighing pros and cons of proposed locations for a Town pool and will make a decision. Additional public forums will occur for community input on pool project and Hamilton's digital media person can publicize those events using Town's social media vehicles.

Set date for next Board of Selectmen meeting

The Selectmen will meet next on December 1, 2014. Maddern entertained a motion at 9:15 p.m. to adjourn. Johnson so moved. Neill seconded motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST: \_\_\_\_\_

  
Clerk